

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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UNITED STATES OF AMERICA      :  
                               :  
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        Plaintiff             :  
                               :  
                               :  
        v.                     :3:17-cr-00652-FAB-1  
                               :  
RAMON CAMACHO                 :  
                               :  
                               :  
        Defendant             :  
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DETENTION HEARING

Was held Before HONORABLE JUDGE SILVIA CARRENO-COLL
U.S. MAGISTRATE JUDGE sitting in San Juan, Puerto Rico,
on December 5, 2017 at 2:29 p.m.

1 APPEARANCES:

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3 FOR THE GOVERNMENT:

4 OMAR BARROSO, AUSA

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6 FOR THE DEFENDANT:

7 LARONDA MARTIN, AFPD

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9 ALSO PRESENT:

10 AUGUST CASTRO, USPO

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1 MS. MARTIN: Good afternoon, Your Honor.

2 MR. BARROSO: Good afternoon, Your Honor.

3 THE MAGISTRATE: Mr. Barroso, Ms. Martin, Mr.
4 Camacho, good afternoon everyone. We're here for the bail
5 hearing. Is the government seeking detention?

6 MR. BARROSO: Well, Your Honor, the weight of the
7 evidence in this case doesn't really concern us very much
8 but when you look at the Pre-trial Services Report, what
9 does concern us regarding possible bail, Your Honor, he has
10 a pending case in New York City regarding a trespass filed
11 by his former consensual partner and this is a case where
12 the victim is his current consensual partner, Your Honor.
13 That plus the fact that he has no ties to this community.

14 He's lived between New York, Florida. There's no
15 information here about a possible third party custodian and
16 we don't know where he would stay at while this procedure
17 is going on.

18 So, I'm not going to argue the merits of dangerousness
19 or guarantee of appearance but we will rest on the
20 conclusion of the Pre-trial Services Report and leave it up
21 to Your Honor.

22 THE MAGISTRATE: All right, so you're basically
23 asking me to file a recommendation with Pre-trial Services.

24 MR. BARROSO: Yes, Your Honor.

25 THE MAGISTRATE: Ms. Martin, what do you propose?

1 MS. MARTIN: Your Honor, we are asking for bail.
2 I don't necessarily really think that the report, the 2017
3 DX02593 is actually this Mr. Ramon Camacho. I don't know
4 if Probation has a copy of that report or a fingerprint. I
5 did look up the name Ramon Camacho and it's so many Ramon
6 Camachos, you know, so I would -- he says that's not him.
7 He said there was a matter that he did have with a
8 significant other about ten years ago regarding the
9 trespass but that the date on that charge is not correct
10 but that --

11 THE MAGISTRATE: Has he ever resided in New York?

12 MS. MARTIN: He was born in New York, Your Honor,
13 and he has visited New York but he has lived in Florida for
14 the last four years and he hasn't been back to New York.
15 So I don't know if the Ramon Camacho in that complaint is
16 actually him.

17 THE MAGISTRATE: Is this lady, Ms. or -

18 MS. MARTIN: Katherine Modesto.

19 THE MAGISTRATE: No. It says here, "it was filed
20 by the defendant's former consensual partner and mother of
21 his daughter, Ms. Bretheny O'Rourke. Is this a former
22 consensual spouse?

23 MS. MARTIN: It was, Your Honor, and in the --

24 THE MAGISTRATE: It was?

25 MS. MARTIN: Yes, but the trespassing charges, the

1 date is not correct. We're not saying it never happened.
2 We're saying that the dates --

3 THE MAGISTRATE: Okay, I thought you were saying
4 that the person that is involved in this incident is not
5 him. What you're saying is that it is him but that the
6 date is wrong.

7 MS. MARTIN: Right because this happened actually
8 ten years ago, not -- he doesn't know of a hearing
9 scheduled for March 12, 2018.

10 THE MAGISTRATE: What is the disposition of that
11 case, of the one the date occurred ten years ago?

12 MS. MARTIN: It was -- he said it was dismissed.
13 The charges were dropped. His daughter is now ten. It
14 happened when his daughter was born.

15 THE MAGISTRATE: So what do you propose, Ms.
16 Martin?

17 MS. MARTIN: Your Honor, what I'm proposing is,
18 I had an opportunity to speak with the victim in this case
19 and I asked her about ten minutes ago what was her
20 position. She stated -- she didn't really have a position
21 either or. She just told me to call and tell her what the
22 Court decided.

23 She doesn't want him living with her. She doesn't
24 want him to contact her right now and so, I have spoken
25 with him of that. No phone calls, no visits. We're asking

1 the Court to allow him to live with his parents who live --

2 THE MAGISTRATE: Where?

3 MS. MARTIN: An hour away. They live in Pinellas,
4 Florida, which is I believe an hour from Seminole, Florida,
5 and I did speak with his father yesterday, so he would
6 definitely be able to stay there. If the Court is
7 concerned about being contact, there are conditions that
8 the Court could put in place to insure his whereabouts,
9 including but not limited to an ankle monitor if that's a
10 concern of the Court. There are special conditions that
11 there are no Facebook, Twitter, any type of contact
12 whatsoever.

13 THE MAGISTRATE: Are there any family members, any
14 ties here in Puerto Rico that he can be released on bail
15 here awaiting the resolution of this case?

16 MS. MARTIN: No.

17 THE DEFENDANT: My father might have --

18 MS. MARTIN: You can talk to me. You can whisper
19 to me.

20 THE MAGISTRATE: You can talk to your lawyer and
21 you can cover the microphone.

22 MS. MARTIN: Let me just look at my notes, Your
23 Honor. There might be --

24 THE MAGISTRATE: Because this is what I'm
25 thinking. The exposure here is rather small in terms of

1 prison time.

2 MS. MARTIN: Yes, Your Honor.

3 THE MAGISTRATE: If I place conditions and he's
4 released here in Puerto Rico and this matter is resolved
5 one way or the other within the speedy trial constraints or
6 if he decides he wants to talk to the prosecutor in terms
7 of another type of resolution, then we can continue the
8 proceedings here and then he may go back to Florida and
9 things will have cooled off, to put it, you know, in a
10 simple way and it's going to be easier for the alleged
11 victim, for him, for everyone. My only concern in that
12 plan is his job. I assume that he --

13 MS. MARTIN: Well, he was working in --

14 THE MAGISTRATE: Working in Florida.

15 MS. MARTIN: Making chemicals for -- we're not
16 sure whether or not he still has that job considering that
17 he has been in Puerto Rico and he was on a cruise.

18 THE MAGISTRATE: Right and what was the resource
19 you were going to mention now?

20 MS. MARTIN: I was going to ask the Court if we
21 could like maybe continue this for a couple of days to
22 allow me to speak with his father and if there is someone
23 here to coordinate that so that Probation can speak with
24 the individuals, do a visit or whatever they do to see if
25 there's a possibility of here, if not we will be asking for

1 Pinellas.

2 THE MAGISTRATE: All right. Let's try that.

3 Friday?

4 MR. BARROSO: It will be available to us also.

5 THE MAGISTRATE: Friday?

6 MS. MARTIN: Yes, Your Honor, Friday.

7 THE MAGISTRATE: At 11:00.

8 MS. MARTIN: Yes, Your Honor.

9 THE MAGISTRATE: Let's continue this matter until
10 December 8 at 11:00.

11 MS. MARTIN: Thank you, Your Honor.

12 THE MAGISTRATE: Come prepared to present me with
13 something concrete.

14 MS. MARTIN: Yes, Your Honor.

15 THE MAGISTRATE: Thank you.

16 (The hearing adjourned at 2:36 p.m.)

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1 U.S. DISTRICT COURT)
2 DISTRICT OF PUERTO RICO)

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4 I certify that this transcript consisting of 9 pages
5 is a true and accurate transcription to the best of my
6 ability of the proceedings in this case before the
7 Honorable Silvia Carreno-Coll, on December 5, 2017.

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12 S/Boabdil Vazquetelles

13 Court Reporter

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